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09/738,292	12/18/2000	Christopher Thompson	9-13528-142US	2141
27220 7590 11/12/2008 BLAKE, CASSELS & GRAYDON, LLP 45 O'CONNOR ST., 20TH FLOOR OTTAWA, ON K1P 1A4 CANADA				
EXAMINER				
HALDM, SAHERA				
ART UNIT		PAPER NUMBER		
2457				
NOTIFICATION DATE		DELIVERY MODE		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

karen.forgie@blakes.com

# Office Action Summary

**Application No.**

09/738,292

**Applicant(s)**

THOMPSON ET AL.

**Examiner**

SAHERA HALIM

**Art Unit**

2457

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 8/20/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-8, 10-15, 19-21 and 23-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-8, 10-15, 19-21 and 23-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

**DETAILED ACTION**

1. This Office Action is in responsive to Amendment filed on August 20, 2008.
2. Claims 2-8, 10-15, 19, 23-40 are pending.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-8, 10-15, 19, and 23-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Godefroid et al. U.S Pat. No. 6,697,840 (hereinafter Godefroid) in view of Berkley et al., U.S Pat. No. 6,546,005 (hereinafter Berkley) further in view of Handel et al., U.S Pat. No. 7076504 (hereinafter Handel).
5. Regarding claim 35, Godefroid teaches in a persistent collaboration services suite (collaborative communications system 100; column 1, lines 66) for facilitating collaboration between members of a team (users 102-104; column 3, lines 19-35), a method of enabling a first team member to control communications with other members of the team, the method comprising steps of:
  - (a) providing a Virtual Team Environment (VTE) (presence awareness system (PA), column 4, lines 37-42) client application for enabling the first team member to interact with the persistent collaboration services suit to (see col. Column 3, lines 8-34):

- i. define a plurality of different member profiles (presence information; column 5, lines 1-49) associated with the team member, each member profile being stored by the persistent collaboration service suite remote from the VTE client application (user interface, 102) and comprising respective communication information (user communicates with other users; column 5, lines 50-67; figure 3).
- ii. select one of the plurality of member profiles as a current profile (column 8, lines 9-19); and

(b) controlling the persistent collaboration services suite to forward the communication information of the selected member profile to a respective VTE client application of a second member of the team independently of whether or not the first team member is logged into the persistent collaboration services suite (column 8, lines 19-65).

Although the system disclosed by Godefroid shows substantial features of the claimed invention (discussed above), it fails to teach explicitly respective communication information identifying types of communication in which the team member prefers to participate, and, for each identified type of communication, a respective communication device that the team member prefers to use to participate in that type of communication. Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Godefroid, as evidenced by Berkley.

In an analogous art, Berkley teaches respective communication information identifying types of communication in which the team member prefers to participate (abstract) , and, for each identified type of communication, a respective communication

device that the team member prefers to use to participate in that type of communication (see col. 9, line 10 – col. 10, line 67). Given the teaching of Berkley, a person having ordinary skill in the art would have recognized the desirability and advantages of modifying Godefroid by employing the well known features of identifying team members preference for communicating in different type of communications, such as disclosed by Berkley, in order to easily determine what communication options are available for contacting an individual at the time and for the purpose of the communication and, additionally, the appropriate communications number (or address) for such communication contact (see col. 4 line 25 – 29).

Moreover, Godefroid teach wherein the first team member is a member of two or more teams (col. 8, line 19-65). Godefroid and Berkley fail teach wherein the Virtual Team Environment (VTE) client enables the first team member to interact with the persistent collaboration services suite to select a respective different one of the plurality of member profiles as the current profile for each of the teams. However, Handel teaches wherein the Virtual Team Environment (VTE) client enables the first team member to interact with the persistent collaboration services suite to select a respective different one of the plurality of member profiles as the current profile for each of the teams (see Fig. 12 and col. 33, line 25 – col. 34). Thus, it would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the VTE of Godefroid and Berkley with multiple different profiles for each team member in order to enable the clients to customize their contact information for specific teams and users, which enhances the usability of systems disclosed by Godefroid and Berkley.

6. As to claim 2, Godefroid teaches a method as claimed in claim 35, wherein the types of communications comprise: 1-way messaging, 2-way messaging voice, and multi-media (column 7, lines 10-15).

7. As to claim 3, Godefroid teaches a method as claimed in claim 2, wherein 1-way messaging comprises one or more of paging and e-mail (col. 11, lines 15-21).

8. As to claim 4, Godefroid teaches a method member as claimed in claim 2, wherein 2-way messaging comprises instant messaging (column 11, lines 10-15).

9. As to claim 5, Godefroid teaches a method as claimed in claim 2, wherein multi-media communication comprises one or more of: document sharing, and application sharing (column 6, lines 11-19).

10. Per claim 6, Godefroid teaches a method as claimed in claim 35, wherein the communications information comprises, for each one of the plurality of different types of communications, a selected one of: an indication that the team member prefers not to participate in the respective type of communications; and communications preference information identifying a preferred communications device selected by the team member for participating in the respective type of communications (column 5, lines 50-67; column 6, lines 1-34).

11. Regarding claim 7, Godefroid teaches a method as claimed in claim 6, wherein the communications preference information comprises at least an address of the preferred communications device (column 3, lines 35-60).

12. Regarding claim 8, Godefroid discloses a method as claimed in claim 7, wherein the address comprises any one or more of: a public Switched Telephone Network (PSTN) destination number (DN); a Private Branch Exchange (PBX) extension number; an internet protocol (IP) address; and an e-mail address (column 4, lines 48-67).

13. Reference to claim 10, Godefroid teaches a method as claimed in claim 35, wherein each team member profile is associated with a respective one of a plurality of different roles of the team member (abstract and summary).

14. Regarding claim 11, Godefroid teaches a method as claimed in claim 10, wherein each one of the plurality of different roles is defined by the respective team member (abstract and summary).

15. Per claim 12, Godefroid teaches a method as claimed in claim 11, wherein the plurality of different roles comprises a working role of the team member (see abstract, background and summary).

16. Reference to claim 13, Godefroid teaches a method as claimed in claim 10,

wherein each team member profile is further associated with a respective one of a plurality of different environments of the team member (column 5, lines 9-62).

17. Per claim 14, Godefroid teaches a method as claimed in claim 13, wherein each one of the plurality of different environments is defined by the respective team member (col. 5, line 27 - 39).

18. Regarding claim 15, Godefroid teaches a method as claimed in claim 14, wherein the plurality of different environments comprises an office environment of the team member (col. 5, line 27 - 39).

19. Reference to claim 19, Godefroid teaches a method as claimed in claim 18, wherein enabling the team member to interact with the persistent collaboration services suite comprises the step of: providing an Interactive Voice Response (IVR) interface to the persistent virtual team environment; and enabling the team member to access the IVR using a voice communication device (col. 4, line 62 - col. 5, line 11 and col. 6, lines 37 - 50).

20. Regarding claim 20, Godefroid teaches a method as claimed in claim 19, wherein enabling the team member interact with the persistent collaboration services suite further comprises the steps of: playing an announcement including information of more options concerning communications information; receiving one more dialed digits dialed



by team member in response to the announcement; and selecting the communications information using the received dialed digits (column 5, lines 21-67)

21. Reference to claim 21, Godefroid teaches wherein the information of one more options comprises information identifying each one plurality of team member profiles (col. 5, line 49 - 62 and col. 6, line 32).

22. As to claim 23, Godefroid teaches wherein the step of selecting communications information comprises a step of using the dialed digits dialed by team member to select one plurality of team member profiles as a current profile (column 5, lines 40-67; column 6, lines 1-50).

23. Regarding claim 24, Godefroid, teaches a method as claimed in claim 35, wherein the step of enabling the team member to interact with the persistent collaboration services suit comprises the steps of (summary): providing a graphical user interface (GUI) adapted to interact with the persistent collaboration services suit; and enabling the team member to access the graphical interface using a GUI-enabled communications device (See Fig. 1 and col. 3, line 29 - col. 4, line 51).

24. Regarding claim 25, Godefroid discloses a method as claimed in claim 24, wherein the GUI is instantiated in the GUI-enabled communications device and adapted to interact with the collaboration services suite through a network (See Fig. 1 and col. 3,

line 29 - col. 4, line 51).

25. Reference to claim 26, Godefroid teaches a method as claimed in claim 24, wherein the GUI is instantiated by a web page associated with the collaborations services suite and accessible by the GUI-enabled communications device through an IP network (See Fig. 1 and col. 3, line 29 - col. 4, line 51).

26. Regarding claim 27, Godefroid teaches a method as claimed in claim 24, wherein the GUI-enabled communications device comprises any one of: a PC; a wireless PDA, a Wireless Application Protocol (WAP) enabled communications devices (See Fig. 1 and col. 3, line 29 - col. 4, line 51).

27. As to claim 28, Godefroid teaches a method as claimed in claim 24, wherein enabling the team member to interact with the persistent collaboration services suite further comprises the steps of: using the GUI to display information of one or more options concerning the communications information; receiving an input from the team member indicative of a team member selection; and selecting the communications information using the team member selections (col. 4, line 49 - col. 5, line 62).

28. Per claim 29, Godefroid teaches a method as claimed in claim 28, wherein the information of one or more options comprises information identifying each one of a plurality team member profile, each team member profile including respective different

communications information (col. 4, line 49 - col. 5, line 62 and col. 3, line 27 - col. 4, line 11).

29. Claim 30, has similar limitations as to claim 23, therefore, it is rejected under the same rational.

30. Reference to claim 31, Godefroid discloses a method as claimed in claim 28, wherein the information of one or more options comprises information identifying an availability of the team member for participating in each one of the plurality of different types of communications (col. 6, line 12 - 50).

31. As to claim 32, Godefroid teaches a method as claimed in claim 31, wherein the step of selecting the communications information comprises, in respect of each one of the plurality of different types of communications, a step of using the input form the team member to select one of: and indication that the team member is prefers not to participate in the respective type of communications; and information identifying a preferred communications device selected by the team member for participating in the respective type of communications (col. 6, line 12 - 50).

32. Regarding claim 33, Godefroid teaches a method as claimed in claim 32, wherein the information identifying a preferred communications device comprises at least an address of the preferred communications device (col. 6, line 12 - 50).

33. As to claim 34, Godefroid discloses a team member profile as claimed in claim 33, wherein the address comprises any one or more of: a Public Switched Telephone Network (PSTN) destination number (DN); a Private Branch Exchanged (PBX) extension number; an internet protocol (IP) address; and an e-mail address (col. 3, line 26 -61).

34. Reference to Claim 36, Godefroid teaches a method as claimed in claim 35, wherein at least one team member is a member of two or more different teams, and wherein a respective different one of the plurality of member profiles associated with the team member is selected as the current profile for each of the teams (column 6, lines 12-50) .

35. Reference to Claim 37, Godefroid teaches a method as claimed in claim 11, wherein the plurality of different roles comprises an Unavailable role of the team member (column 6, lines 1-25).

36. Reference to Claim 38, Godefroid teaches a method as claimed in claim 14, wherein the plurality of different environments comprises a Mobile environment of the team member (column 6, Lines 12-25).

37. Reference to claim 39, Godefroid teaches a method as claimed in claim 35, wherein the respective VTE client application of the second member of the team is

operative to display the communications information and dynamic presence and availability information of the first team member, such that the second team member can determine a best current way to communicate with the first team member (column 6, lines 12-25)

38. Reference to claim 40, Godefroid teaches a method as claimed in claim 39, wherein the communications information and the dynamic presence and availability information of the first team member as one or more icons, and wherein the second team member can initiate communications with the first team member by selecting one of the icons (column 6, lines 12-67).

#### ***Response to Arguments***

39. Applicant's arguments with respect to claim 35 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

40. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAHERA HALIM whose telephone number is (571)272-4003. The examiner can normally be reached on M-F from 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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